

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred Senate Bill 227, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 3, after "of" insert "**IC 31-34-21-4 and**".
- 2 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 3 "SECTION 2. IC 31-34-21-4, AS AMENDED BY P.L.217-2001,
- 4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2003]: Sec. 4. (a) Except as provided in subsection (f), at least
- 6 ten (10) days before the periodic case review, including a case review
- 7 that is a permanency hearing under section 7 of this chapter, the county
- 8 office of family and children shall send notice of the review to each of
- 9 the following:
- 10 (1) The child's parent, guardian, or custodian.
- 11 (2) An attorney who has entered an appearance on behalf of the
- 12 child's parent, guardian, or custodian.
- 13 (3) A prospective adoptive parent named in a petition for adoption
- 14 of the child filed under IC 31-19-2 if:
- 15 (A) each consent to adoption of the child that is required under
- 16 IC 31-19-9-1 has been executed in the form and manner

- 1 required by IC 31-19-9 and filed with the county office of
 2 family and children;
- 3 (B) the court having jurisdiction in the adoption case has
 4 determined under any applicable provision of IC 31-19-9 that
 5 consent to adoption is not required from a parent, guardian, or
 6 custodian; or
- 7 (C) a petition to terminate the parent-child relationship
 8 between the child and any parent who has not executed a
 9 written consent to adoption under IC 31-19-9-2 has been filed
 10 under IC 31-35 and is pending.
- 11 (4) Any other person who:
- 12 (A) the county office of family and children has knowledge is
 13 currently providing care for the child; and
- 14 (B) is not required to be licensed under IC 12-17.2 or
 15 IC 12-17.4 to provide care for the child.
- 16 (5) Any other suitable relative or person who the county office
 17 knows has had a significant or caretaking relationship to the child.
- 18 (b) At least ten (10) days before the periodic case review, including
 19 a case review that is a permanency hearing under section 7 of this
 20 chapter, the county office of family and children shall provide notice
 21 of the review to the child's foster parent **or long term foster parent** by:
- 22 (1) certified mail; or
- 23 (2) face to face contact by the county office of family and children
 24 caseworker.
- 25 (c) The court shall provide to a person described in subsection (a)
 26 or (b) an opportunity to be heard and to make any recommendations to
 27 the court in a periodic case review, including a permanency hearing
 28 under section 7 of this chapter. The right to be heard and to make
 29 recommendations under this subsection includes: ~~the right of a person~~
 30 ~~described in subsection (a) or (b) to submit a written statement to the~~
 31 ~~court that, if served upon all parties to the child in need of services~~
 32 ~~proceeding and the persons described in subsections (a) and (b), may~~
 33 ~~be made a part of the court record:~~
- 34 **(1) the right of a person described in subsection (a) or (b) to**
 35 **submit a written statement to the court that, if served upon all**
 36 **parties to the child in need of services proceeding and the**
 37 **persons described in subsection (a) or (b), may be made a part**
 38 **of the court record; and**

1 **(2) the right to present oral testimony to the court and cross**
 2 **examine any of the witnesses at the hearing.**

3 (d) Except as provided in subsection (f), this section does not
 4 exempt the county office of family and children from sending a notice
 5 of the review to each party to the child in need of services proceeding.

6 (e) The court shall continue the review if, at the time of the review,
 7 the county office of family and children has not provided the court with
 8 signed verification from the child's foster parent **or long term foster**
 9 **parent**, as obtained through subsection (b), that the foster parent **or**
 10 **long term foster parent**, has been notified of the review at least five
 11 (5) business days before the review. However, the court is not required
 12 to continue the review if the child's foster parent **or long term foster**
 13 **parent** appears for the review.

14 (f) If the parent of an abandoned child does not disclose the parent's
 15 name as allowed by IC 31-34-2.5-1(c), the parent is not required to be
 16 notified of a proceeding described in subsection (a).".

17 Page 1, line 7, delete "and".

18 Page 1, line 8, delete "section 4.6 of this chapter,".

19 Page 1, line 8, delete "parent" and insert "parent, **long term foster**
 20 **parent, or a person who has been a foster parent**".

21 Page 2, line 4, delete "(a)".

22 Page 2, delete lines 10 through 18.

23 Renumber all SECTIONS consecutively.

(Reference is to SB 227 as printed February 28, 2003.)

and when so amended that said bill do pass.

Representative Lawson L